



PATENT  
03824-P0128B GSW/DC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Thomas E. McClaskie
Application No. 10/676,065	Filing Date: October 1, 2003
Title of Application:	Method and Apparatus For Improved Shoe Construction
Confirmation No. 7728	Art Unit: 3728
Examiner	Marie Patterson

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

***Terminal Disclaimer To  
Obviate A Double Patenting Rejection (37 CFR 1.321(b))***

Dear Sir:

The undersigned, Gene S. Winter, declares that:

1. I am the attorney of record in the subject patent application.
2. The assignee is Columbia Insurance Company located at 3024 Harney Street; Omaha, 68131. Columbia Insurance Company is the owner of 100% of the rights, title and interest in and to Patent Application Serial No. 10/676,065 filed October 1, 2003 for "Method and Apparatus For Improved Shoe Construction" by virtue of an assignment as recorded at the United States Patent Office on October 1, 2003 at Reel 014572, Frame 0716, and, to the best knowledge and belief of the undersigned, is believed to be the owner of record of U.S. Patent Application Serial No. 10/626,139 filed July 24, 2003 for "Method and Apparatus For Improved Shoe Construction".
3. Columbia Insurance Company hereby disclaims the terminal part of the term of any patent granted on Application Serial No. 10/676,065 which would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Patent Application Serial No. 10/626,139 filed July 24, 2003.
4. Columbia Insurance Company hereby agrees that any patent granted on Application Serial No. 10/676,065 shall be enforceable only for and during such period that the legal title to Patent Application Serial No. 10/626,139 shall be the same as the

legal title to all patents issuing on said Application Serial No. 10/676,065, this Agreement to run with any patent granted on said Application Serial No. 10/676,065 and to be binding upon Columbia Insurance Company, its representatives, successors, and assigns.

5. Columbia Insurance Company does not disclaim any terminal part of any patent granted on said Application Serial No. 10/676,065 prior to the expiration date of the full statutory term of U.S. Patent Application Serial No. 10/626,139 in the event that U.S. Patent Application Serial No. 10/626,139 either expires for failure to pay a maintenance fee, or is held unenforceable, or is found invalid, or is statutorily disclaimed in whole or hereafter terminally disclaimed under 37 CFR § 321(a), or has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

6. Enclosed is a credit card payment form PTO-2038 in the sum of \$130.00. If there is any fee deficiency, please charge Account No. 19-4516.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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